

REMARKS

This Amendment is submitted in response to the Office Action mailed October 7, 2004, and is submitted by the current due date of January 7, 2005. In the Office Action, the Examiner cited that the numbering of claims is not proper. The applicant regrets this error made by his attorney. The applicant has corrected the numbering which is now in conformance with 37 CFR 1.126. The applicant has elected to resubmit the claims previously cancelled without prejudice.

The applicant respectfully requests a reconsideration of the claims on their merits and submits that the restriction requirement is being too broadly applied to the claims that were added related to purchasing transactions, search and price comparison. The applicant submits that the formatting is one aspect of the total mobile commerce content and was never intended to be the only matter that was to be claimed by the applicant. The applicant respectfully submits that all claims that do not refer to the smart RF Tags should not be restricted as they relate to purchasing transactions that are subject of the specification and the applicant intended to add and amend the claims that solely refer to this non RF smart Tag subject matter. The applicant respectfully requests a reconsideration of the claims as presented.

The claims related to the smart RF Tags are distinct from the purchasing transaction claims and the applicant understands the reasoning of the examiner in putting a restriction of claims related to this aspect of the application. However, the applicant respectfully requests a reconsideration of these claims as they are covered in the subject matter of the specification and are not new content. The applicant respectfully requests a reconsideration of the smart RF Tag claims also as the specification shows that they are an integral and central part of purchasing transactions.

The applicant at initial filing time was advised by his attorney that the additional claims may be added subsequently. The applicant has revoked the power of attorney of the attorney.

The applicant would suffer serious injury if the claims are not considered as the claims are time sensitive. The applicant respectfully and humbly requests the maximum leeway within the rules for a full consideration of the claims as presented on their merits.

Respectfully submitted,



By

Raman K. Rao, Applicant

RAMAN K. RAO
3099 ALEXIS DRIVE
PALO ALTO, CA 94304-1304
Telephone: (650) 941-7096
Fax: (650) 618 1553